HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6953 of 2006

Dated:13.11.2006

Between:

Smt.Gunaganti Maremma.

…Petitioners

and

The Mandal Revenue Officer and others.

…Respondents

HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.6953 of 2006

ORDER:

The petitioner was assigned land admeasuring Ac.1.25 guntas in Survey No.31 situated at Kesarajupalli Village in Tipparti Mandal in Nalgonda District. She alleges that her husband deserted her even by the time of assignment, and therefore, she alone was cultivating the land as landless poor person. On a complaint made by the third respondent, the assignment was cancelled and the land was resumed by proceedings dated 11.01.2005. The petitioner then appealed to the second respondent, who by proceedings dated 08.07.2005 ordered restoration of land to the petitioner. She alleges that the third respondent, who is bent upon purchasing the land of the petitioner, again gave a complaint to the first respondent who did not restore the land as ordered by the Revenue Divisional Officer. Therefore, in this Writ Petition the petitioner seeks a direction to respondents 1 and 2 to restore the land to the petitioner and make necessary changes in the revenue records.

At the time of preliminary hearing itself, it is brought to the notice of this Court that subsequently the Revenue Divisional Officer has passed an order on 03.04.2006 cancelling the assignment made in favour of the petitioner in 1981, and also directed to seize the pattadar

pass books and title deeds of the petitioner. The second respondent also directed the first respondent to resume the land of the petitioner. Therefore, the learned Assistant Government Pleader submits that the petitioner can file an appeal before the District Collector, Nalgonda. This position is not disputed by the learned Counsel for the petitioner.

As the petitioner has an effective alternative remedy, this Court is not inclined to go into the merits of the case. The petitioner is given liberty to file an appeal within a period of two weeks from the date of receipt of a copy of this order. As and when the appeal is filed, the District Collector/Joint Collector shall entertain the same and pass appropriate orders in accordance with law after giving notice to all the concerned and interested persons.

The Writ Petition, with the above observations and directions, is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

13.11.2006
vs